HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.10836 of 1999

Dated 16th day of April, 2007

Between:

Metla Ramaswamy Reddy .. Petitioner

And

The District Collector, Chittoor and two others .. Respondents

-
-
-

O R D E R:

This writ petition is filed seeking a direction to the 1st and 2nd respondents not to evict the petitioner from the land of an extent of Ac.1.22 cents in S.Nos.118, 120 and 125/4 till the claim under Section 11(a) of the Madras Act 26 of 1948 is determined by the Settlement Officer-cum-Joint Collector, Chittoor.

The petitioner asserts that his father was a ryot under Zamindar of Punganoor, and in occupation of an extent of Ac.1.22 cents of land in S.Nos.118, 120 and 125/4 situated in Punganoor village and paying land tax to the Government regularly since a long time. When his father applied for a Ryotwar patta before the Settlement Officer in 1974, the file was transferred to the Joint Collector, Chittoor and the matter is pending. After the death of his father, the petitioner was brought on record as legal representative. Now, the grievance nurtured by the petitioner is that when the matter regarding grant of patta is pending, the 1st and 2nd respondents are trying to evict him from the land in question stating that the land belongs to the Government.

Having heard the learned counsel for both the parties and perused the material placed on record, this Court is of the view that the enquiry must have been completed. If the enquiry is still pending, this Court deems it appropriate to direct the Joint Collector to complete the enquiry within a period of six weeks from today and pass appropriate orders. Having regard to the fact that this Court, while ordering Rule Nisi, directed the respondents not to dispossess the petitioner from the land in question, this interim direction shall continue till the enquiry is completed and orders are passed.

With the above direction, this writ petition is disposed of. No costs.

_____

16.04.2007

bcj